REMARKS

Claims 24 and 25 have been amended to correct typographical errors as requested by the Examiner. No claims have been added or cancelled. Claims 1-64 are pending in the application. Reconsideration is respectfully requested in light of the following remarks.

Section 102(e) Rejection:

The Office Action rejected claims 1-3, 8, 9, 11, 15-18, 21, 23-27, 32, 33, 35, 39, 40, 44-47, 52, 53, 55, 59, 60 and 64 under 35 U.S.C. § 102(e) as being anticipated by Feeney et al. (U.S. Patent 6,408,341) (hereinafter "Feeney"). Applicants respectfully traverse this rejection for at least the following reasons.

Regarding claim 1, contrary to the Examiner's assertion, Feeney fails to disclose wherein one of the plurality of peer nodes is configured to: receive acknowledgement that one or more of the transmitted messages have been received by the other peer node. Feeney teaches a method for supporting different types of message traffic using multiple send and receive FIFOs arranged as send and receive pairs. According to Feeney, different types and priorities of network messages may be routed to different FIFOs as arranged between nodes prior to sending data messages. (See, e.g. Feeney, column 2, lines 19-33; column 15, lines 34-51).

The Examiner cites column 36, lines 38-67 of Feeney. However, the cited passage of Feeney does not describe a receiving node acknowledging the receipt of a transmitted message. Instead, the cited passage describes the transfer of data from a FIFO to a network adaptor to be sent over the network. Feeney, at the Examiner's cited passage, is describing the communications between a FIFO and the network adaptor *within a single node*, and does not describe communications between two nodes, except to say that if an error is detected the message may be resent by resetting the FIFO's read counter to the beginning of the message. Thus, the cited passage does not mention a

receiving node acknowledging the receipt of a transmitted message. In fact, nowhere does Feeney describe a receiving node acknowledging the receipt of a message.

Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every limitation of the claimed invention, arranged as in the claim. (*See, e.g.* M.P.E.P 2131; *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984)). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). As discussed above, Feeney fails to disclose a receiving node acknowledging the receipt of a transmitted message. Therefore, Feeney cannot be said to anticipate claim 1.

Thus, for at least the reasons presented above, the rejection of claim 1 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 1 also apply to claims 25 and 45.

Regarding claim 2, contrary to the Examiner's contention, Feeney does not disclose a peer node that is configured to: buffer the messages, and after a window of N messages has been buffered, transmit the N messages to the other peer node over the communications channel, wherein N is an integer greater than one. The Examiner cites several passages of Feeney. However, none of the cited passages describe transmitting N messages to another peer node *after a window of N messages has been buffered*, where N is greater than one. Instead, the first passage (column 2, lines 35-43) cited by the Examiner merely states that a sending node can specify a communications path through the system by selecting a specific FIFO buffer in each node for buffering its messages and further describes that each FIFO is assigned a priority level for determining which FIFO buffer is to store a received message. The second cited passage (column 42, lines 16-27) describes how different types of messages are sent and received via different FIFO buffers. The third cited passage (column 48, lines 22-34) describes the use of various send and receive FIFO buffer pairs between a processor and a network adaptor. Thus, none of the Examiner's cited passages makes any reference to transmitting N

messages to another peer node *after a window of N messages has been buffered*, where N is *greater than one.*

Furthermore, Feeney teaches that a read pointer and a write pointer for a FIFO are compared and if the two are not exactly equal, the FIFO contains a message and a request for service is generated to send the message on the network. Hence, **Feeney teaches away** from transmitting N messages to another peer node *after a window of N messages has been buffered*, where N is greater than one.

Thus, for at least the reasons above, the rejection of claim 2 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 2 also apply to claims 26 and 46.

Regarding claim 3, Feeney fails to disclose wherein the other peer node is configured to receive the transmitted messages, and after receiving M messages, transmit the acknowledgement to the peer node indicating that the M messages have been received, wherein M is a positive integer less than or equal to N. As noted above regarding claim 1, Feeney fails to teach receiving an acknowledgement that one or more of the transmitted messages have been received. Furthermore, Feeney fails to mention anything about a peer node transmitting an acknowledgement after receiving M messages indicating that the M messages have been received. The Examiner cites column 15, lines 51-53; column 6, lines 2-5; column 13, line 62 – column 14, line 6; column 22, lines 42-40; and column 36, lines 38-67. However, none of the Examiner's cited passages mentions anything regarding a peer node transmitting an acknowledgement after receiving M messages indicating that the M messages have been received. Instead, the various passages cited by the Examiner describe different aspects of Feeney's FIFO operations, such as the use of bucket numbers to specify a receive FIFO into which a message should be placed, and how the read and write pointers of a send FIFO are compared to determine whether the FIFO is empty or contains messages. Nowhere, either in the cited passages or elsewhere, does Feeney mention anything regarding a peer node transmitting an acknowledgement after receiving M messages indicating that the M

messages have been received. Thus, for at least the reasons above, the rejection of claim 3 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 3 also apply to claims 27 and 47.

Regarding claim 8, contrary to the Examiner's contention, Feeney fails to disclose wherein each of the messages includes a sequence number for use in ordering the received messages on the other peer node. The Examiner cites column 13, lines 22-28 where Feeney describes how message header 322 includes a physical ID number identifying a destination node, a receive control field (containing various command fields and a bucket number), a software command field, the sending nodes physical ID and the word count of the message. Thus, the cited passage makes no reference to any sequence number for use in ordering received messages. In fact, Feeney is completely silent regarding including sequence numbers in messages for use in ordering received messages.

In further regard to claim 8, Feeney also fails to teach wherein the other peer node is configured to: after receiving the first M messages in the sequence of N transmitted messages as indicated by the sequence numbers, transmit the acknowledgement to the peer node indicating that the first M messages have been received, wherein M is a positive integer less than N. As described above regarding claim 3, Feeney fails to mention a peer node transmitting an acknowledgement after receiving M messages indicating that the M messages have been received. For a more detailed discussion regarding Feeney's failure to teach this limitation, please refer to the discussion of claim 3, above. Furthermore, Feeney fails to mention a peer node transmitting an acknowledgement after receiving M messages in a sequence of N transmitted messages.

Thus, for at least the reasons above, the rejection of claim 8 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 8 also apply to claims 32 and 52.

Regarding claim 11, contrary to the Examiner's assertion, Feeney fails to disclose wherein each of the messages includes a sequence number for use in ordering the received messages on the other peer node. The Examiner cites column 13, lines 22-28. However, as noted above regarding claim 8, this passage does not mention that each message includes a sequence number. More a more detailed discussion of Feeney's failure to disclose including a sequence number in each message, please see the above discussion regarding claim 8. For at least the reasons presented above, the rejection of claim 11 is not supported by the prior art and removal thereof is respectfully requested. Similar remarks as those above regarding claim 11 also apply to claims 35 and 55.

Section 103(a) Rejection:

The Office Action rejected claims 4-7, 28-31 and 48-51 under 35 U.S.C. § 103(a) as being unpatentable over Feeney in view of Wang et al. (U.S. Patent 6,826,763) (hereinafter "Wang") in view of Williams et al. (U.S. Patent 6,721,286) (hereinafter "Williams") and in further view of Johnson (U.S. Patent 6,591,310), claims 10, 34 and 54 as being unpatentable over Feeney in view of Johnson, claims 12-14, 36-38 and 56-58 as being unpatentable over Feeney in view of Habusha et al. (U.S. Patent 6,477,590) (hereinafter "Habusha") and in further view of Raffel et al. (U.S. Patent 5,675,629) (hereinafter "Raffel"), claims 19, 20, 41, 42, 61 and 62 as being unpatentable over Feeney in view of Yionen (U.S. Patent 6,795,917), and claims 22, 43 and 63 as being unpatentable over Feeney in view of Aakar et al. (U.S. Patent 5,758,087) (hereinafter "Aakar"). Applicants respectfully traverse these rejections for at least the reasons presented above regarding the independent claims.

Applicants also assert that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above referenced application from becoming abandoned, Applicants hereby petition for such an extension. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-07400/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Fee Authorization Form authorizing a deposit account debit in the amount of $ for fees ( ).

☐ Other:

Respectfully submitted,

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